

JUDICIAL NOMINATING COMMISSION

Open Session/Public Comment Hearing

September 25, 2006

Minutes

A meeting of the Judicial Nominating Commission was held on September 25, 2006 in executive session at 4:00 p.m., at the Department of Administration, Conference Room 2, Providence, Rhode Island, pursuant to the notice of the meeting to all Commissioners and to the public, as required by RIGL § 42-46-6. These minutes were kept pursuant to RIGL §42-46-7©.

The following Commissioners, constituting a quorum, were present and participated throughout the meeting: Girard R. Visconti, Chairperson, , William Rampone, Matthew Oliverio, Agnes Lapointe, Faye Sanders, Valentino Lombardi, and Solomon Solomon.

Commissioner absent: None

Also present: JoAnn Dubuc, Legal Assistant to the Commission.

The minutes of August 22, 2006 were approved.

Upon motion made by Mr. Oliverio and seconded by Mr. Rampone, members voted unanimously to go into executive session at 4:05 p.m.

The Commission reconvened in open session at 5:05 p.m. in Conference Room A on the second floor of the Department of Administration to hear public comments about the applicants for the vacancy on the Rhode Island Superior Court to fill the seat of the late Associate Justice William Dimitri, Jr..

Mr. Visconti welcomed the audience and introduced the members of the Commission. He explained that the Commission was comprised of only seven members due to the resignation of Kevin Turner and Jametta Alston. He stated that he was waiting the Governor's naming of two new appointees to bring the Commission membership to nine, as required by the statute.

Mr. Visconti informed those in attendance that the Commission had received 41 requests for applications from lawyers throughout the state for this vacancy and twenty-seven had returned completed applications. After reviewing all of those twenty-seven applications as well as an abundance of letters of recommendation, the Commission selected thirteen to be interviewed and one of those selected had withdrawn his name, leaving the twelve applicants to be

voted on this evening.

Minutes - Sept. 25, 2006

Open Session

Page 2

Chairman Visconti stated that background investigative reports on each applicant were obtained from the Rhode Island State Police as well as the Ethics Commission, the Attorney General's Bureau of Criminal Investigation and the Supreme Court Disciplinary Board. Interviews were conducted at an open meetings on September 19th and 20th.

Mr. Visconti gave a summary of the qualifications required to be a judge in Rhode Island courts. He stated how difficult the job of the Commissioners was to select the finalists because so many highly qualified attorneys had applied and this particular voting process would be further hindered by the shortage of two Commissioner votes.

Mr. Visconti then opened the floor for public comment and invited members of the judiciary to speak first. The following persons were recognized and heard:

Judge Alice Gibney spoke on behalf of Carol Zangari; Judge Daniel Procaccini spoke on behalf of William Carnes; Judge Susan McGuirl spoke on behalf of Pamela Pfeiffer; Judge Raymond Shawcross spoke on behalf of Susan Revens; and Judge Madeline Quirk spoke on behalf of James Murray. Margaret Curran, former U.S. Attorney, spoke on behalf of Richard Corley.

Other speakers included June Tourangeau and John Tarantino for Assistant Attorney General Neil Kelly; James Lynch, Sr. for James Murray; Joseph R. Kelly for Carol Zangari; Stephen Ryan, Patricia Coyne-Faglie , Matthew Dawson, and David Prior for Assistant Attorney J. Patrick Youngs; John McGehearty and Joseph Baxter for Pamela Pfeiffer; George Mason for William Carnes; Raymond LaFazia and Lisa Holley for Bennett Gallo; Donna Tropsa and Maria Hernandez for Susan Revens; Amy Page Oberg, Michael Ursillo, and Stephen Zubiago for Jeffrey Brenner; Angela Tavares for Richard Corley; David Duhaime and Paul Pisano for Albert Romano.

At 7:55 p.m. Mr. Visconti thanked the speakers and explained that the Commission would adjourn to Executive Session for approximately 25 minutes for further deliberation about the applicants and would then reconvene in open session to vote publicly to select the candidates whose names would be submitted to the Governor.

This executive portions of this meeting shall be closed to the public

in accordance with RIGL § 42-46-4 in order to discuss matters allowed to be exempt from discussion at open meetings under subdivision (1) of §42-46-5(a), namely, the “job performance, character, or physical or mental health of a person or persons.”

The Commission reconvened in open session at 8:00 p.m. in Conference Room A. Upon motion made by Mr. Oliverio and seconded by Mr. Rampone, members voted unanimously to seal the minutes of the immediately preceding executive sessions.

Minutes - Sept. 25, 2006

Open Session

Page 3

Pursuant to RIGL §§42-46-4 and 42-46-5, as permitted under §42-46-7(c) the minutes of the immediately preceding Executive Sessions shall be kept closed and sealed.

Commission members conducted the public voting in accordance with the procedures adopted by Judicial Nominating Commission in its Rules of Procedure. After two rounds of voting, the following four applicants received the required number of votes and their names will be sent to Governor Carcieri, in alphabetical order, for his consideration, along with copies of their applications, financial

information, background investigative reports, and letters of recommendation.

William E. Carnes, Jr.

Bennett R. Gallo

Pamela K. Pfeiffer

Carol Ann Zangari

(A copy of the voting record is attached hereto as Exhibit A).

There being no further business in public session, upon motion made and seconded, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

JoAnn Dubuc, Legal Assistant to the JNC